FILED
U.S. CLERK'S OFFICE
DISTRICT COURT E.D.N.Y.

OCT 6 2017 ★

BROOKLYN OFFICE

EF

LAW OFFICES OF
ERIC FRANZ, P.L.L.C.
www.efranzlaw.com

October 3, 2017

The sentence is adjourned to 12/14/2017 @ 11:00 am. So ordered. /s/(ARR) USDJ 10/4/17

VIA ECF
The Honorable Allyne R. Ross
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: U.S. v. Asaro, et. al. 17 Cr. 127 (ARR)

Dear Judge Ross:

I represent Mr. Matthew Rullan, a defendant in the above referenced matter. Mr. Rullan is currently scheduled to be sentenced on October 24, 2017, as a result of his June 27, 2017 guilty plea. For the reasons that follow and with the consent of A.U.S.A. Lindsay Gerdes, I submit this letter to respectfully request that the Court adjourn Mr. Rullan's sentencing to any of the following dates:

December 1, 2017;
December 7, 2017;
December 8, 2017;
December 12, 2017;
December 13, 2017;
December 14, 2017; or
December 15, 2017.

This is Mr. Rullan's first request for an adjournment of his sentencing date.

Among the reasons for this request is that I first received Mr. Rullan's Presentence report ("PSR") on September 26, 2017 – which is only 28 days prior to his currently scheduled sentencing date of October 24, 2017. Notably, Rule 32(e)(2) of the Federal Rules of Criminal Procedure, requires that the PSR must be disclosed at least 35 days prior to sentencing.

In addition, counsel is still awaiting receipt of some documentation and letters which are necessary to complete Mr. Rullan's sentencing submission.

Finally, since undersigned counsel has multiple sentencing proceedings scheduled in October and November, I respectfully request that sentencing in this matter be adjourned to any of the aforementioned dates in early December, if convenient for the Court.

New York City (Mailing Address)
747 Third Ave. 20th Fl., New York, N.Y. 10017
(212) 355-2200 (phone)   (212) 937-2217 (fax)

Long Island
220 Old Country Road, Mineola, N.Y. 11501
(516) 692-0109 (phone)   (212) 937-2217 (fax)

EF

I thank the Court for its consideration of this request.

Most Respectfully,

ERIC FRANZ